



DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751

REPLY TO
ATTENTION OF

December 7, 1999

Regulatory Branch
CENAE-CO-R-01-199800216

Mr. Peter Colosi
Assistant Regional Administrator for Habitat Conservation
National Marine Fisheries Service
One Blackburn Drive
Gloucester, Massachusetts 01930

Subject: NH DOT Squamscott River Bridge EFH Recommendations will be included

Dear Mr. Colosi:

This letter is in reference to the National Marine Fisheries Service (NMFS) conservation recommendations made pursuant to NOAA's Magnuson-Stevens Fishery Conservation and Management Act, Essential Fish Habitat (EFH) Regulations regarding the Corps of Engineers permit application #199800216 for NH DOT to replace the Route 108 bridge over the Squamscott River between Newfields and Stratham, NH. An EFH assessment was provided to NMFS in the public notice dated November 2, 1999. In a letter dated November 24, 1999 NMFS made the following conservation recommendations: 1. Condition the permit to require 85% survival rate of saltmarsh vegetation in the mitigation area by the end of five seasons or the applicant would have to undertake remedial actions. 2. Require a stormwater plan to avoid degradation of the wetlands and tidal waters. 3. Use our regulatory authority on any subsequent permit applications for boating facilities to maintain the integrity of EFH in the Squamscott River.

Pursuant to 50 CFR 600.920(j)(1), the Corps of Engineers is responding to your conservation recommendations. We find the recommendations to be acceptable and intend to incorporate them into the permit. Mr. Roach has contacted the NH DOT and stated his intention to add a condition to the permit requiring monitoring of the mitigation effort and remedial actions if necessary. We believe the efforts at the Squamscott River bridge for Route 101 were successful and encourage your staff to go see that site. Mr. Roach has requested a copy of the stormwater plan and we will make the requirements of the 401 water quality certificate a requirement of our permit. We will certainly use our authority over subsequent actions within our jurisdiction to protect the integrity of the Squamscott River.

If you have any final EFH comments relative to the draft permit, please contact Mr. Roach at 978-318-8211 number within 10 days.

Sincerely,

David H. Killoy, P.E., C.P.E.
Chief, Permits and Enforcement Section
Regulatory Branch

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